

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

CHARLIE ABUJUDEH,

Defendant.

Civil Action No. 21-CV-4110

**~~[PROPOSED]~~ MODIFIED STIPULATED PRELIMINARY INJUNCTION
ORDER AS TO DEFENDANT CHARLIE ABUJUDEH**

Plaintiff, the United States Securities and Exchange Commission (“the Commission”) and defendant Charlie Abujudeh (“Abujudeh” or the “Defendant”) hereby agree and stipulate as follows:

1. On July 22, 2021, the Commission filed an Application for an Order to Show Cause, Temporary Restraining Order, Order Freezing Assets, and Order Granting Other Relief (the “Application”) (Dkt. No. 2), a Memorandum of Law in support of the Application (Dkt. No. 3), and a Declaration of Trevor Donelan (Dkt. No. 4).

2. On July 23, 2021, the parties submitted a joint request to set a briefing schedule allowing defendant to file a brief in opposition to the Application, if any, by July 27, 2021 (Dkt. No. 8). The Court ordered the briefing schedule that same day.

3. The Court found on the basis of the Commission’s Application, its Memorandum of Law in support of the Application, and the Declaration of Trevor Donelan (with attached Exhibits), that the Commission had made a proper showing for the relief granted herein, as required by Section 20(b) and 20(d)(1) of the Securities Act of 1933 (“Securities Act”) and

Section 21(d) of the Securities Exchange Act of 1934 (“Exchange Act”) justifying the relief granted herein.

4. On July 27, 2021, the Court granted the parties’ joint request to enter a Stipulated Preliminary Injunction Order (Dkt. No. 11).

5. On August 9, 2021, the Court granted the parties’ joint request to enter a Modified Stipulated Preliminary Injunction Order reflecting Abujudeh’s change in counsel (the “Order”).

6. Paragraph IV.D of the Order provided for funds to cover Abujudeh’s attorney’s fees as well as monthly living expense and required the parties to “confer after six months about the necessity of future carve-outs.” The parties conferred and have reached an agreement regarding additional carve-outs.

NOW THEREFORE, pending the final disposition of this action:

I.

Paragraphs IV.A. and IV.B. of the Order are modified as follows:

- A. Abujudeh may withdraw \$500,000 for attorney’s fees from the account at Wells Fargo, with the account number ending in 5432. Abujudeh is represented by the law firms of Morvillo, Abramowitz, Grand, Iason & Anelo PC, Clark Hill PLC and Bruno & Degenhardt PC. This money shall be paid to the IOLTA account of these designated law firms as agreed upon by the parties. Counsel may use that money to represent Abujudeh in both this case and in the case of *United States v. Abujudeh*, 21-M-845 (E.D.N.Y.). If Abujudeh requires further funds for his defense in these cases, he shall seek consent from the Commission and petition this Court.

- B. Defendant may withdraw up to \$48,602.06 one-time from the account at Wells Fargo, with the account number ending in 5432, for the purpose of paying California state taxes for CZA, Inc.
- C. Defendant may spend \$13,000 per month for food and basic living expenses for a period of six months (or until August 3, 2022). These monthly permitted expenses may be made only from the Wells Fargo account ending in 5432.
- D. Wells Fargo is authorized to release the \$13,000 for expenses described in paragraph I.C of this Stipulation and Order on or about February 4, 2022, March 1, 2022, April 1, 2022, May 2, 2022, June 1, 2021, and July 3, 2022.
- E. Abujudeh is hereby ordered to make reasonable efforts to obtain lawful employment to provide a source of funds for this asset freeze carve-out. Abujudeh is hereby ordered to provide the Commission's counsel on the last day of each month (beginning in August) a summary of the efforts he has made to obtain lawful employment. If Abujudeh obtains employment, the parties will confer and submit to this Court suggested modifications of this Order.

Dated: February 3, 2022

Respectfully submitted,

s/ Nita K. Klunder
Nita K. Klunder
David D'Addio*

Attorneys for the Plaintiff
SECURITIES AND EXCHANGE COMMISSION

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*Not admitted in the U.S. District Court for the Eastern District of New York

SO ORDERED:

Hon. Pamela K. Chen
UNITED STATES DISTRICT JUDGE

Dated: February 7, 2022